

Testimony on HB 557 Provisions - House Natural Resources Committee
Clint Jacobs, Manager, Dry Prairie Rural Water
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1, (a)

Design and Construction Standards for regional water systems need to remain in place for the 10 year period of construction period authorized by Congress.

Why? Increasing requirements after the project has been reviewed and approved by agencies will increase the costs and impact upon the Federal funding ceiling set by Congress.

1, (b)

Deviations from DEQ Standards when needed should apply to the entire project, not just the segment that is under review.

Example: Dry Prairie's most recent segment – the McCabe Loop Pipeline – required 3 deviation requests and approvals. If every segment is required to have the same 3 deviations then: 3 deviations X 30 construction segments = 90 deviation requests and approvals.

1, (c)

Standard DEQ design and construction specifications need to be developed for regional water systems.

Example: Present rules require AWWA Pipe and are generally intended for municipal systems. This standard allows for the heaviest truck loads under the most traveled streets where utility corridors include sewer, power and gas lines. The industry standard for regional water systems in other states is ASTM Pipe and is designed to be installed in croplands and pasture land. Deviations have been requested by Dry Prairie and granted by DEQ on each project that has been approved. Costs increase by about 25% when using AWWA Pipe over ASTM Pipe

2,

A more timely review period is needed for Regional Water Systems. The present timeline for DEQ approval of project plans and specifications is stated as 60 days. The language of HB 557 will insure that the 60 day period is realized.

Example: The most recent Dry Prairie project – the McCabe Loop Pipeline required 111 days for approval as follows:

<i>Days of DEQ review</i>	<i>– initial and 3 pass back reviews</i>	<i>= 93 days</i>
<i>Days of Dry Prairie Responses</i>	<i>– all pass backs</i>	<i>= 18 days</i>
<i>Total time</i>	<i>– July 11, '08 to October 30, '08</i>	<i>111 days</i>

3,

Drinking water systems that are consecutive to water sources and treatment that are subject to EPA regulations should be granted a waiver from higher water quality standards that can be imposed by DEQ.

Situation: *The Ft Peck/Dry Prairie Regional Water System is comprised of a Tribal and non tribal system. All of the source and treatment facilities will be installed within the Tribal system and therefore subject to EPA Drinking water standards. Should the State water quality standards be increased above the federal standard then the non tribal systems will be out of compliance.*

4,

Duplication needs to be eliminated.

Example: *Each project segment presented for review by DEQ must submit a Design Report and Construction & Contract Specifications. Each Design Report contains details on pipe type to be used and their pressure ratings, formulas for the water demand by users such as the quantity of water per person per day. These items are a repeat of the information provided in each previous project. Each regional water system must complete a Final Engineering Report (FER). This document provides the Design Report for the whole system. Review and approval of the FER will eliminate the need for a Design Report for each of the anticipated 30 segments of construction.*